
Changes to legislation: There are currently no known outstanding effects for the Referendums (Scotland) Act 2020.
Cross Heading: Offences relating to applications for postal and proxy votes. (See end of Document for details)

SCHEDULE 6 OFFENCES

Offences relating to applications for postal and proxy votes

- 4 (1) A person (“A”) commits an offence if A—
- (a) engages in an act specified in sub-paragraph (2) in connection with the referendum, and
 - (b) intends, by doing so—
 - (i) to deprive another of an opportunity to vote in the referendum, or
 - (ii) to make for A or another a gain of money or property or a gain of a vote in the referendum to which A or the other is not otherwise entitled.
- (2) These are the acts—
- (a) applying for a postal or proxy vote as some other person (whether that other person is living or dead or is a fictitious person),
 - (b) otherwise making a false statement in, or in connection with, an application for a postal or proxy vote or providing false information in, or in connection with, such an application,
 - (c) inducing the registration officer or counting officer to send a postal ballot paper or any communication relating to a postal or proxy vote to an address which has not been agreed to by the person entitled to the vote,
 - (d) causing a communication relating to a postal or proxy vote or containing a postal ballot paper not to be delivered to the intended recipient.
- (3) In sub-paragraph (1)(b)(ii), property includes any description of property.
- (4) In sub-paragraph (2), a reference to a postal vote or a postal ballot paper includes a reference to a proxy postal vote or proxy postal ballot paper (as the case may be).
- (5) A person commits a corrupt practice if the person commits an offence under sub-paragraph (1) or aids, abets, counsels or procures the commission of that offence.

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